

Pendency in Courts.

156. *MR. N. E. VARUGHESE (*Tiruvalla I*): Will the Government be pleased to state whether they have investigated the reasons for the pendency of a large number of civil cases in the several courts of the State for more than 3 years?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Yes.

MR. N. E. VARUGHESE (*Tiruvalla I*): May I know whether any remedial measures were adopted?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Yes; all that is possible is being done.

MR. N. E. VARUGHESE (*Tiruvalla I*): May I know the nature of such remedial measures?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): The inspection notes on the work of the courts are reviewed by Government; and, where there is inordinate delay, instructions are issued to the presiding officers concerned to expedite disposal.

MR. N. E. VARUGHESE (*Tiruvalla I*): What is the total number of cases pending for more than three years in all the Courts of the State?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): I claim notice.

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*): May I know whether all the recommendations of the Law's Delays Commissioner, to avoid delays, have been given effect to?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Some of them have been given effect to and others are under consideration. The High Court has been requested to send up proposals for carrying out all the recommendations of the Law's Delays Commissioner.

MR. MENATHERI N. KESAVA PANICKAR (*Nominated*): May I know the nature of the cases that are being delayed?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): I claim notice.

MR. K. R. ELENKATH (*Kalkulam I*): May I know the age of the oldest case still pending?

PRESIDENT: There is a separate question about law's delays. All these questions need not be exhausted now. They are not quite germane to this question.

Recommendations of the Law's Delays Commissioner.

157. *MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Will the Government be pleased to state:

(a) whether they have finished considering the recommendation of the Law's Delays Commissioner to shift one of the Munsiffs' Courts at Alleppey to Ambalapuzha;

(b) if not, who is accountable for the long delay in the disposal of the question; and

[Mr. P. K. Narayana Pillai.]

(c) whether the Additional Munsiff's Court at Alleppey is not now located in a part of the travellers' *satram*?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*):

(a) No.

(b) The shifting of one of the Munsiffs' Courts at Alleppey to Ambalapuzha is one of the several proposals of the Law's Delays Commissioner relating to the redistribution of the territorial jurisdiction of Civil Courts and as such the matter does not admit of piecemeal consideration and orders.

(c) Yes.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): May I know how long the Report of the Law's Delays Commissioner has been engaging the attention of Government?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Since its submission about three or four years ago.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Has the High Court made any recommendation, in that connection, with respect to the shifting of the Additional Munsiff's Court at Alleppey to Ambalapuzha?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Yes; the High Court have accepted the recommendation of the Law's Delays Commissioner to shift that Court to Ambalapuzha.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): May I know from the member how many times the High Court recommended the shifting of the Court?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): I do not remember; I have not got that information with me now. But I may say that the High Court have accepted the recommendation of the Law's Delays Commissioner. Government however, thought that it is not advisable to deal with this recommendation alone and that all such recommendations should be considered and disposed of together.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): May I know from the member whether on receiving the recommendations of the High Court, Government had not again asked the High Court to make a fresh recommendation?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Yes.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Have not Government insisted on the High Court to recommend this particular court?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Yes.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): How long ago was the second recommendation of the High Court received by the Government?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): I think it was some time in September 1934.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): May I know from the member what is it that stands in the way of Government to deal with particular recommendations?

PRESIDENT: Government do not wish to take the recommendations piecemeal.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Will the Government be replying why they have now thought of providing additional sheds in the Additional Munsiff's Court when they have decided to shift the court from Alleppey to Ambalapuzha?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Government have not yet decided to shift the court from Alleppey to Ambalapuzha; and so provision is made for the additional sheds that are absolutely necessary.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): If the court has to be shifted to Ambalapuzha, is there any necessity for the shed at Alleppey also?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Yes; they are required for immediate use and they may be used for some other purpose later on.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): May I know that for the purpose of obviating the delay, for the purpose of solving the various problems raised by the Law's Delays Commissioner's report, Government will be taking adequate steps at an early date?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Certainly; Government have already reminded the High Court about other recommendations of a similar nature and are awaiting their reply.

MR. A. EASWARA PILLAI (*Kalkulam II*): May I know from the member whether any of the recommendations of the Law's Delays Commissioner have been given effect to?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Yes; some have been given effect to.

MR. A. EASWARA PILLAI (*Kalkulam II*): May I know whether they are not piecemeal?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): What I said was that recommendations regarding the redistribution of the jurisdiction of the various courts cannot be dealt with piecemeal. Other recommendations may be given effect to separately.

MR. PAGODE A. NARAYANA PILLAI (*Vilavankod*): May I know whether the High Court have sent up any comprehensive recommendations regarding the redistribution of the territorial jurisdiction of the courts in the whole State?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): No.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Have the Government accepted the recommendations of the Law's Delays Commissioner for the establishment of a court at Pattanamitta?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Yes. There was urgent necessity for a court at Pattanamtitta and one was established there temporarily.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Is it not one of the recommendations regarding the redistribution of the territorial jurisdiction of courts?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): It is one of the recommendations; but as I said, it is on account of urgent necessity that the Government have opened a court at Pattanamtitta and not merely because the Law's Delays Commissioner recommended it.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Am I to understand that other recommendations of the Law's Delays Commissioner were not acted upon because so much necessity was not felt?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Not so much as in the case of the Pattanamtitta court.

Veterinary Hospital at Todupuzha.

158 ***MR. K. A. NARAYANA PILLAI** (*Todupuzha cum Devicolum*): Will the Government be pleased to state:

- (a) whether there was any representation requesting the opening of a Veterinary Hospital at Todupuzha;
- (b) if so, when and how was the first representation; and
- (c) the distance from Todupuzha to the nearest Veterinary Hospital?

MR. T. C. THOMMEN (*Secretary to Government*): (a) Yes.

(b) The representation was brought up at the 24th Session of the Sri Mulam Popular Assembly.

(c) The distance from Todupuzha to Meenachil where the nearest Veterinary Hospital is located is 18 miles.

MR. K. A. NARAYANA PILLAI (*Todupuzha cum Devicolum*): May I know whether as a result of the representation, any enquiry was made as to the necessity for such an institution at Todupuzha?

MR. T. C. THOMMEN (*Secretary to Government*): Yes, an enquiry was made.

MR. K. A. NARAYANA PILLAI (*Todupuzha cum Devicolum*): May I know the result of the enquiry?

MR. T. C. THOMMEN (*Secretary to Government*): The Director of Agriculture recommended that a Veterinary Dispensary may be opened.

MR. K. A. NARAYANA PILLAI (*Todupuzha cum Devicolum*): May I know when the recommendation was made by the Director?

MR. T. C. THOMMEN (*Secretary to Government*): In the year 1107.

MR. K. A. NARAYANA PILLAI (*Todupuzha cum Devicolum*): May I know why the recommendation was not given effect to till now?

MR. T. C. THOMMEN (*Secretary to Government*): For want of funds.